

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CITY OF LAWRENCEBURG, KENTUCKY

COMPLAINANT

v.

SOUTH ANDERSON WATER DISTRICT

DEFENDANT

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) CASE NO. 96-256
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O R D E R

On June 4, 1996, the City of Lawrenceburg, Kentucky, ("Lawrenceburg") filed a complaint against South Anderson Water District ("South Anderson") concerning South Anderson's intent to relocate two of the existing water meters through which it receives water from Lawrenceburg. South Anderson was directed by Order to satisfy or answer the Complaint. South Anderson answered on June 28, 1996. While data requests were issued by the Commission on August 14, 1996, continued settlement negotiations between Lawrenceburg and South Anderson resulted in the matter being held in abeyance. Following a long period of unsuccessful negotiations, an informal conference was held at the Commission's offices on July 21, 1997. Matters discussed at the informal conference made it clear that the Commission needed to proceed with this matter.

IT IS THEREFORE ORDERED that:

1. The procedural schedule listed in Appendix A, which is attached hereto and incorporated herein, shall be followed.

2. The parties shall file the original and six copies of the following information with the Commission with a copy to all parties of record by the date indicated in Appendix A for responses to initial requests for information to be filed. The parties shall furnish with each response the name of the witness who will be available at the public hearing to respond to questions concerning each item of information requested.

Questions for Lawrenceburg:

1. When was the water main referred to in Paragraph 5 of the Complaint installed? Provide any documentation available regarding the installation of the water main.

2. Provide any and all documentation that shows that the water main referred to in Paragraph 5 of the Complaint is owned by Lawrenceburg.

3. Provide any and all documentation that shows that the water main referred to in Paragraph 5 of the Complaint has been maintained by Lawrenceburg since its installation.

4. Provide any and all documentation that shows that the water main referred to in Paragraph 5 of the Complaint has been operated by Lawrenceburg since its installation.

5. Explain in detail how the relocation of the master meter on the U.S. 127 Bypass will interfere with the operation of Lawrenceburg's facilities as stated in Paragraph 6 of the Complaint.

6. Provide a response to South Anderson's statement in Paragraph 7 of the Answer that Lawrenceburg has used facilities owned by South Anderson to provide water service without the knowledge or consent of South Anderson.

7. How many customers, or potential customers, of Lawrenceburg will be affected as a result of South Anderson's proposed project which includes moving the master meter on the U.S. 127 Bypass? Identify these customers.

8. Provide highway maps at a scale sufficient to show Lawrenceburg's distribution system in both areas involved in the Complaint. The maps should show the location of all affected customers and all affected water lines, both existing and proposed. Master meter locations and delivery points, both existing and proposed, should also be indicated.

9. When was the water main referred to in Paragraph 15 of the Complaint installed? Provide any documentation available regarding the installation of the water main.

10. Provide any and all documentation that shows that the portion of water main referred to in Paragraph 15 of the Complaint is owned by Lawrenceburg.

11. Provide any and all documentation that shows that the portion of water main referred to in Paragraph 15 of the Complaint has been maintained by Lawrenceburg since its installation.

12. Paragraph 15 of the Complaint refers to several customers which Lawrenceburg currently serves through the water main in question. Provide any and all documentation that shows to whom and for how long Lawrenceburg has been providing service through this water main.

13. Explain in detail how the relocation of the master meter on Jenny Lillard Road will interfere with the operation of Lawrenceburg's facilities as stated in Paragraph 17 of the Complaint.

14. Provide a response to South Anderson's statement in Paragraph 15 of the Answer that Lawrenceburg has used facilities owned by South Anderson to provide water service without the knowledge or consent of South Anderson.

15. How many customers, or potential customers, of Lawrenceburg will be affected as a result of South Anderson's proposed project which includes moving the master meter on Jenny Lillard Road? Identify these customers.

16. Provide a county map depicting Lawrenceburg's present service territory and city boundaries.

17. Provide a copy of the present water purchase agreement or contract between Lawrenceburg and South Anderson.

Questions for South Anderson:

1. Provide copies of the plans which were submitted to, and approved by, the Natural Resources and Environmental Protection Cabinet, Department for Environmental Protection, Division of Water, to install the 360 feet of 6-inch water line and the additional master meter near the intersection of the U.S. 127 Bypass and U.S. Highway 62.

2. When was the water main referred to in Paragraph 5 of the Complaint installed? If the installation required the approval of the Public Service Commission in the form of a Certificate of Public Convenience and Necessity, provide the case number of that proceeding. If such approval was not required, provide any documentation available regarding the installation of the water main.

3. Provide any and all documentation that shows that the water main referred to in Paragraph 5 of the Complaint is owned by South Anderson.

4. Under what circumstances was the approximately 375 feet of water main referred to in Paragraph 5 purchased by South Anderson from Betty B. Green installed?

5. Provide any and all documentation that shows that the water main referred to in Paragraph 5 of the Complaint has been maintained by South Anderson since its purchase or installation.

6. If the master meter on the U.S. 127 Bypass was not originally installed at the end of Lawrenceburg's water main, for what reason was it placed at its present location?

7. Will the relocation of the master meter on the U.S. 127 Bypass place it inside the city's annexed boundary?

8. Elaborate further on the benefit to South Anderson of the project which includes moving the master meter on the U.S. 127 Bypass. Provide supporting documentation.

9. How many customers, or potential customers, will be added to South Anderson's system as a result of the project which includes moving the master meter on the U.S. 127 Bypass? Identify these customers.

10. Provide highway maps at a scale sufficient to show South Anderson's distribution system in both areas involved in the Complaint. The maps should show the location of all affected customers and all affected water lines, both existing and proposed. Master meter locations and delivery points, both existing and proposed, should also be indicated.

11. When was the water main referred to in Paragraph 15 of the Complaint installed? If the installation required the approval of the Public Service Commission in the form of a Certificate of Public Convenience and Necessity, provide the case number of that

proceeding. If such approval was not required, provide any documentation available regarding the installation of the water main.

12. Provide any and all documentation that shows that the portion of water main referred to in Paragraph 15 of the Complaint is owned by South Anderson.

13. Provide any and all documentation that shows that the portion of water main referred to in Paragraph 15 of the Complaint has been maintained by South Anderson since its installation.

14. Paragraph 15 of the Complaint refers to several customers which Lawrenceburg currently serves through the water main in question. If the water main is the property of South Anderson, why has South Anderson not been providing service to those customers?

15. If the master meter located on Jenny Lillard Road was not originally installed at the end of Lawrenceburg's water main, for what reason was it placed at its present location?

16. Elaborate further on the benefit to South Anderson of the project which includes moving the master meter on Jenny Lillard Road. Provide supporting documentation.

17. How many customers, or potential customers, will be added to South Anderson's system as a result of the project which includes moving the master meter on Jenny Lillard Road? Identify these customers.

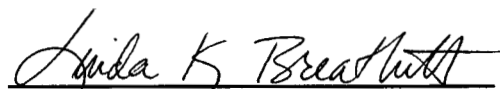
18. Provide a county map depicting South Anderson's present service territory and water district boundaries as established in accordance with KRS Chapter 74. The

appropriate orders of the Anderson County Fiscal Court establishing such boundaries should also be filed.

19. Provide a copy of the present water purchase agreement or contract between South Anderson and Lawrenceburg.

Done at Frankfort, Kentucky, this 11th day of September, 1997.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 96-256 DATED 9/11/97

Initial requests for information to Lawrenceburg and
South Anderson shall be filed no later than 9/22/97

Lawrenceburg and South Anderson shall file responses to
the requests for information no later than 10/6/97

All supplemental requests for information (to
include only those matters within the scope of
the initial requests) to Lawrenceburg and South Anderson
shall be filed no later than 10/13/97

Lawrenceburg and South Anderson shall file responses to
supplemental requests for information no later than 10/20/97

The parties shall file a written summary of the testimony of the
witnesses who are expected to be called at the hearing, copies
of all exhibits which will be used at the hearing regardless of
whether they are to be introduced, and all preliminary motions
and objections, except objections to exhibits 10/27/97

Public Hearing is to begin at 9:00 a.m., Eastern
Daylight Time, in Hearing Room 2 of the Commission's
offices at 677 Comanche Trail, Frankfort, Kentucky,
for the purpose of cross-examination of witnesses
of Lawrenceburg and South Anderson and Intervenors 10/30/97